

### **REMARKS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 10-16 are presently active in this case. Claims 1-9 have been cancelled by a preliminary amendment. The present Request for Reconsideration keeps all claims unchanged.

The outstanding Office Action rejected Claims 10-16 under a 35 U.S.C. § 103(a) as unpatentable over Walker (U.S. Patent No. 6,965,816).

Applicants respectfully request withdrawal of the reference Walker as a rejection reference, because Walker is *not* prior art against Applicants' application, as next discussed.

The present application with the Serial No. 10/089,089 is a 35 U.S.C. § 371 application based on the Patent Cooperation Treaty (PCT) Application with the Serial No. PCT/FR01/02569, filed on August 7, 2001. Moreover, PCT/FR01/02569 application and the present application claim priority to the French Patent Application with the Serial No. FR 00/10584, filed on August 11, 2000. Furthermore, the 35 U.S.C. § 371 filing designated the United States for the National Phase, and therefore the present application is a national phase application of this PCT filing. Therefore, the filing date of the present application is August 7, 2001. *See* 35 U.S.C. § 363, *see also* M.P.E.P. § 1893.03(b). However, Applicants still reserve the right to file a certified English translation of the priority document FR 00/10584, filed on August 11, 2000, to perfect claim priority to this earlier filing date.

On the other hand, the rejection reference Walker has a filing date of October 1, 2002, and is based on two provisional applications, a first one with the Serial No. 60/330,085 that was filed on October 19, 2001 and a second one with the Serial No. 60/325,538, that was filed on October 1, 2001. Accordingly, none of the filing dates of the Walker reference and its priority documents antedate the PCT priority document PCT/FR01/02569 of the present

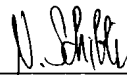
application. As a consequence, Applicants submit that Walker *is not* a prior art reference, and request withdrawal of this reference to form any rejections of Applicants' claims.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 10-16 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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